

REMARKS

The non-elected claims 6-84 and 202-259 are being retained in this application, unexamined, pending allowance of the application.

Allowance of claims 5, 131, 133, 138, 139, 260, 261 and 263 is noted with appreciation.

Claim 193 has been rejected under 35 U.S.C. § 102(e) as being anticipated by Kreamer '726. This rejection is respectfully traversed with respect to this claim as amended herein.

Specifically, this claim now recites "advancing the delivery device toward the anastomosis site from outside the vessel while the full length of the graft between attachment end and distal end is contained within the delivery device; and thereafter removing the attachment end of the graft from within the delivery device for attachment at the anastomosis site on the vessel, and removing to outside the vessel a length of the graft to the distal end from within the delivery device."

These aspects of the claimed invention position the attachment end of a graft from outside the vessel for attachment at the anastomosis site on the vessel , and also position the graft outside the vessel upon removal from the delivery device.

These aspects of the claimed invention are not disclosed or even suggested by Kreamer '726 which discloses intraluminal delivery and positioning of a graft, with no segment of the graft disposed outside the vessel. Nor does this reference support an analysis of an anastomosis site existing at an incision into a femoral

artery. As commonly understood in medical or biological parlance, an anastomosis is the joining together of severed ends of tubular organs or vessels, and disclosure in this reference of an incision into a femoral artery for inserting an intraluminal stent is deficient of both an anastomosis site on a vessel to which a graft positioned outside the vessel is attached, and delivery of the graft *to* the anastomosis site from outside the vessel. In addition, the recited removal step is not disclosed in Kreamer '726 and reliance upon another cited reference for explanation of a removal step does not support anticipation by Kreamer '726 alone.

It is therefore respectfully submitted that claim 193 as amended is not anticipated by, but instead is now patentably distinguishable over the cited art.

Support for these clarifying amendments to claim 193 is amply contained in the drawings and specification, for example, in Figures 9A, 10A, 10B, 11A, 11B, 12-16 and the associated descriptions in the specification.

Applicant lists the following co-pending applications as containing claims to subject matter which may be considered similar to the present claims:

Serial No. 09/903,831; Serial No. 11/264,929; Serial No. 11/375,387; and Serial No. 11/440,267.

Copies of the claims of such co-pending applications will be provided by procedure independent of inclusion in the prosecution history of this application, upon request by the Examiner, in the event such claims of the listed co-pending

applications are not available to the Examiner as stored in the image format IFW system.

Allowance of all pending claims is solicited.

Respectfully submitted,
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Dated: __1/29/07__

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